THE HON'BLE SRI JUSTICE K.C. BHANU

On Monday, the twenty second day of August

Two thousand and Five.

W.P.No.9191 of 2001

Sri P.Pandaiah, s/o Swamy aged about 38 years, residing at Mandra Narketpally Mandal & others.

……Petitioners

And

Central Power Distribution Company of A.P., Hyderabad, represented by Managing Director, Hyderabad and others.

…Respondents.

O R D E R:

The present Writ Petition is filed to declare the action of the respondents in not informing the petitioners, the reasons for not calling them to interview for the post of LDC, scheduled to be held on 12.5.2001, as contrary to Clause-1 Rule-11 of B.P.Ms.No.137 dated 7.7.2000.

Before adverting to the question as to whether the action of the respondents suffers from any legal infirmity requiring any interference as such by this Court, in exercise of its writ jurisdiction, it may be necessary briefly, to note the relevant facts leading to the filing of this writ petition. The petitioners-1 to 4 have been working as contract labours since 5.6.1995, 15.6.1992, 25.7.1993 and 2.1.1997 respectively. As per the directions of this Court in W.P.No.5064 of 1999 the respondent company issued B.P.Ms.No.137 dated 7.7.2000, wherein a scheme was framed for filling up of 50% of existing vacancies as on 18.5.1997 by Ex.CLS/VEWS/Contract labours and for issuing notification for conducting

the interview. Accordingly, the respondents issued a notification dated 11.3.2001 for which the petitioners submitted their applications by enclosing requisite certificate to establish that they are entitled to be called for the interview while filling the posts. The 3rd respondent issued a notification, on 30.4.2001, fixing the interview date as 12.4.2001 and also mentioning the names of the candidates to attend the interview, wherein the names of petitioners were not found and thereafter, petitioners sent their representation for non-consideration of their candidature for the interview. Hence, the writ petition filed by the petitioners.

The stand taken by the respondents in the counter affidavit is that in the applications submitted by the petitioners, some of the them did not contain the service certificates and some service certificates were not countersigned by the officials of the Andhra Pradesh TRANSCO in authentication of the service put in by such petitioners and therefore, they were not treated as qualified and eligible candidates for consideration by the respondents in terms of the regulation packages in B.P.Ms.No.36 dated 18.5.1997.

Heard the learned counsel for the petitioners and the learned standing counsel for the respondents-corporation.

As seen from Clause 11 of the B.P.Ms.No.137 dated 7.7.2000, which would clearlyshow that the selection committee shall scrutinize the applications keeping in view the orders of Judgment as indicated in para 6 of the same and also the guidelines issued by APSEB/AP.TRANSCO from time to time for filling up 50% vacancies and to prepare a list of eligible candidates category wise to be called for interview. The ineligible candidates may be informed of the reasons for their ineligibility. So the contention of the learned counsel for petitioners that the petitioners were not allowed to participate in the interview that was held on 12.5.2001, is not a valid ground.

There is no reason to adjudicate the matter, when the remedies available under law are left open to the petitioners and, accordingly, the writ petition is

disposed of. No order as to costs.

JUSTICE K.C. BHANU

22nd August 2005

BCS